

# How to File A Request to Change Location of §341 Meeting

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## Issue Date

July 20, 2010

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## Policy

A change of §341 meeting location is allowed by the United States trustee (UST) only:

- for "good cause"
- and
- if the next available meeting date falls within the 40- or 60-day range for holding the meeting pursuant to Fed. R. Bankr. P. 2003.
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## Process

When a request to change location of §341 meeting of creditors has been filed the matter is referred to the UST for determination except when the debtor's mailing address zip code differs from the physical address zip code resulting in a different meeting location assignment<sup>1</sup>. In this instance, the United States trustee allows the Clerk's office to reschedule the §341 meeting of creditors.

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## Creditor Meeting Location Assignment

The CM-ECF system includes a module called "Judge/Trustee Assignment" (JTA). The JTA automatically assigns a judge, trustee, and §341 meeting date/time/location (and, if a chapter 13 case, a confirmation hearing date/time/location). The §341 meeting location is based on the physical address zip code entered in CM-ECF and its proximity to one of the five meeting locations. When a case is filed, it is scheduled on the §341 calendar for the appropriate location. A listing of cities and the corresponding §341 meeting locations is posted on the Court's [creditor meeting location](#) web page.

Meetings for chapter 7, 12, and 13 cases are conducted in Albuquerque, Farmington, Las Cruces, Roswell, and Santa Fe. Meetings for chapter 11 cases are conducted in Albuquerque.

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<sup>1</sup> The CM-ECF screen asks a filer to enter the debtor's "address," making no distinction between mailing address and physical address. The debtor's address entered in CM-ECF is what is used to assign the 341 meeting location.

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## Procedure

STEP	ACTION
1	Before you begin, ensure that immediately after opening the case, you have <ul style="list-style-type: none"><li>• uploaded the creditors,</li><li>• run the judge/trustee assignment module, and</li><li>• filed all additional case initiation documents.</li></ul>
2	To file the text-only notice, click on <b>Bankruptcy</b> on the blue menu bar. Then, follow these steps: <ul style="list-style-type: none"><li>• select <b>Miscellaneous</b>;</li><li>• select <b>Request to Change Location of 341 meeting</b>;</li><li>• enter <b>specific reason</b> for requesting the change.</li></ul> <p><b>Note:</b> Text-only entries do not require a portable document format (PDF) document nor does the docket entry get a document number.</p>

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## What Happens Next

If the United States trustee's office approves the request, the United States trustee's office will notify the Electronic Information Specialists and docket a Notice Appointing Successor Trustee. The Electronic Information Specialist will then prepare and send a Notice of Change to Meeting of Creditors - changing the trustee, date, time, and location of the meeting.

If the United States trustee's office does not approve the request, the Electronic Information Specialist will then make the following text-only entry on the case docket:

*"In response to the notice of request to change location of the 341 meeting of creditors, the United States trustee has determined that the 341 meeting will not be rescheduled."*

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## Whom to Contact for Help

Please contact the Court's Electronic Information Specialists for assistance at 505-348-2500 or toll-free at 866-291-6805 - select option 3. The help desk hours are 8:30 a.m. to 4:30 p.m., Monday through Friday.

S:\EIMT\Procedures\Request to Change 341 Location\file req to change location of 341 mtg.wpd